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PATENT

Docket No. H 4299 PCT/US

**10/088062**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of Naumann et al.

**International Application No.** PCT/EP00/08774

**International Filing Date:** September 8, 2000

**Serial No.** 10/088,062

**Examiner:** To be assigned

**Filed:** To be assigned

**Art Unit:** To be assigned

**TITLE:** NEW DIRECT HAIR COLORANTS

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. §371**

Box PCT  
Commissioner for Patents  
Washington, DC 20231

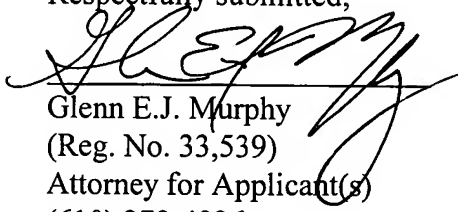
Attn: DO/EO/US

In response to NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. §371 in the United States Designated/Elected Office, mailed July 12, 2002, applicants enclose their executed Declaration and a copy of FORM PCT/DO/EO/905 (371 Formalities Notice).

In response to the notice on FORM PCT/DO/EO/905 that a sequence listing must be submitted, Applicants respectfully submit that the application does not contain a nucleotide and/or amino acid sequence as that term is defined in 37 C.F.R. § 1.1821, and therefore a sequence listing is not required. It is noted that the "biochemical sequence diskette" listed on page 1 of Form PCT/DO/EO/905 is incorrect. Instead, the diskette submitted by Applicants on March 13, 2002 contained Document AV "EU Inventory of Cosmetic Ingredients", which is included in Applicants' Information Disclosure Statement. Applicants also provided with the diskette special instructions for opening the document contained on the diskette. It is respectfully requested that the undersigned be contacted if any further information is required regarding the diskette.

Please debit the \$130.00 surcharge under 37 C.F.R. § 1.16(e) for late filing a declaration to our Deposit Account No. 01-1250. Order No. 02-0426.

Respectfully submitted,

  
Glenn E.J. Murphy  
(Reg. No. 33,539)  
Attorney for Applicant(s)  
(610) 278-4926

Henkel Corporation  
Patent Department  
2500 Renaissance Blvd., Suite 200  
Gulph Mills, PA 19406

**Enclosures:**

- 1) Executed Declaration
- 2) Copy of Form PCT/DO/EO/905 (371 Formalities Notice)

FHP



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

*Dec Amended - 9/12/02*

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/088,062	Frank Naumann	H 4299 PCT/US

INTERNATIONAL APPLICATION NO.
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PCT/EP00/08774

I.A. FILING DATE	PRIORITY DATE
09/08/2000	

Kimberly R Hild  
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2500 Renaissance Blvd  
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Gulph Mills, PA 19406

RECEIVED

JUL 18 2002 *M*

HENKEL LAW DEPT.

CONFIRMATION NO. 8519

371 FORMALITIES LETTER



\*OC000000008426590\*

Date Mailed: 07/12/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
  - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 305-3695

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/088,062	PCT/EP00/08774	H 4299 PCT/US